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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/323,605	06/01/1999	NEELAKANTAN SUNDARESAN	AM9-99-007	9396

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EXAMINER

NGUYEN, CUONG H

ART UNIT PAPER NUMBER

3625

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/323,605

Applicant(s)
Sundaresan

Examiner
Cuong H. Nguyen

Art Unit
2165



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 18, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-13, 16-23, and 26-30 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-13, 16-23, and 26-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

1. This Office Action is the answer to the Appeal Brief received on 2/21/2003, which paper has been placed of record.

2. Claims 1-3, 6-13, 16-23, 26-30 are pending in this application. Claims 4-5, 14-15, 24-25 were canceled.

Response:

3A. The applicant argues that "Bull does not teach identifying common browsing patterns of a first and a second user". The examiner disagrees because although Bull does not expressly use the word "identify" but Bull suggests of analyzing user browsing patterns, storing these patterns, and later retrieve similar patterns after simply comparing/sorting them as artisan would do for other Internet's database (see Sonnereich, 5:52-59). Therefore, Bull et al., teach these similar patterns of computer users, because when doing this, Bull et al. obviously suggest an action of "identifying".

3B. It is considered that sufficient evidences for the claimed concept were provided for the claimed subject matter; i.e., "Fernandes discusses a program that allows for simultaneous browsing on different WWW sites while having a conversation" as admitted by the applicant on page 2 (of prior amendment); again on page 9 at the end of 3rd para. of 7/16/2002 amendment, the applicant admits: "Fernandes ... toward developing an ability to share and collaborate on documents in the context of a meeting environment". The

applicant argues that "Fernandes lacks any discussion about application of co-browsing to users shopping over a computer network, or about coordinating and combining the co-browsing with the experience of shopping at a network site.

Fernandes makes no mention or suggestion of a shopping environment". This claimed feature of "shopping environment" is not patentable since that particular field of intended use (a shopping environment) is already comprised in Fernandes' suggestion (i.e., Fernandes discloses that "browsing on different World-Wide-Web sites" already applicable to a computer site or a shopping site).

Therefore, the examiner submits that Fernandes makes suggestion for using "co-browsing" in any applicable environment including a shopping environment.

3C. Fernandes does not expressly teach "providing the users with a window comprising a first pane, and a second pane with communication content between users"; however, the examiner submits that this limitation has been widely used in computer applications for various purposes, and "panes" are reasonably interpreted as different display windows. That has been a capability of MS Windows environment (and Hodges et al. suggested this in Figs. 2.2 and 2.4 of their book) that Fernandes need not to expressly disclose "pane" in his article (i.e., cascading technique wherein in newsgroup articles, the accumulation of quotation marks (often angle brackets) added by newsgroup readers each time an article is replied to. Most newsgroup readers will copy

the original article in the body of the reply; after several replies, the original material will have several quotation marks); (see also Hodges et al.'s book on multimedia computing, pp.166-167; these authors clearly disclose a collaborative browsing case (on the Internet) by using an example wherein voice, video, and shared graphics and data were used simultaneously, i.e., see pp.166-167).

3D. It is reasonable that analogous modifications of prior art would be apparent to those skilled in the art at the time of invention without departing from the scope and spirit of these references. Although cited references may have been described in connection with specific preferred embodiments, it should be understood that their limitations as disclosed should not be limited to such specific embodiments.

3E.Note: Claim limitations of 1(c) and 1(d) were suggested by Sonnenreich et al. (US Pat. 5,974,446), 5:52-60 wherein they provide a novel technique that organize access by users, and central server with common screen "buttons" to readily identify similar interest users on a single screen display. In 5:61-6:5, Sonnereich et al. disclose that accessing networking of similar interest...facilities sharing over the Internet; and in 6:33-42, Sonnereich et al. disclose that providing each user computer station with software that generates a common type screen at each station containing selectable "buttons" for personal user identification

and in 7:31-46 and in 8:45-64 Sonnereich et al. disclose using various common interest subjects, topics, e-mail and other addresses for co-browsing.

In 8:45-64, Sonnereich et al. disclose about enabling each user of the common topic interest group selectively to activate the different primary types of communication modes including e-mail, multi-media presentations, real-time communication ..., and every user can automatically observe every other users communications by their respective selected communication mode.

Claim Rejections 35 U.S.C. 103(a)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 6-11, 13, 16-21, 23, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandes, in view of Bull et al. (US Pat. 5,901,287), in view of Sonnenreich et al. (US Pat. 5,974,446).

A. Re. To claim 1: Fernandes suggests a method for providing "co-browsing" to users, comprising:

- a) providing a network site offering items for sale
(e.g., Fernandes obviously suggests this feature);

- b) monitoring browsing patterns of a 1st user and of a 2nd user on said site (e.g., Fernandes obviously suggests monitoring browsing patterns); or Bull et al., also teach about monitoring user's browsing activity and analyzes their interests, and analyzing Browsing patterns of the user and updating these profiles automatically. common users' profile and browsing patterns (of interest) are recorded);
- c) identifying a common browsing pattern of said users (i.e., Bull et al., also teaches "Browsing patterns of the user are analyzed and these patterns update profiles automatically.");
- d) informing said users of said common browsing pattern (i.e., Bull et al., teach that "Browsing patterns of the user are analyzed and these patterns update profiles automatically");
- e) providing to a user a capability for communication (see Sonnereich 5:52-59; and Bull, claims 1, 11, 28-29);
- f) providing to another user a capability for communication (see Sonnereich 5:52-59; and Bull, claims 1, 11, 28-29); and
- g) providing a capability for communication between said users while they continue to surfing (e.g. see Fernandes "...allows intranet users to communicate in real time-like talking on a telephone, but using a

keyboard to produce messages. The program also allows for simultaneous browsing ... while having a conversation"; or Sonnenreich et al., US patent of "Internet based distance learning system for communicating between server and clients wherein clients communicate with each other or with teacher using different communication technique via common user interface"; in Sonnenreich et al. disclose in claim 19, and 13:50 - 14:2 that ...list of all the users who have selected the same topic as of interest and who are currently on-line, ... tuned to a topic-specific web page..., means is provided at the server for identifying the user's personal identification and information in the database.. communicating such data from the server in the appropriate user-selected communication mode over the Internet to the user screens, observable by all said users. And in claims 28-29, Sonnenreich et al. claim about different communication modes include e-mail, real time chatting, web page browsing.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement published ideas of Bull et al., and Sonnenreich et al. in a method suggested by Fernandes, to perform recognized necessary claimed steps for "co-browsing", because they apply simultaneously collaborative browsing techniques (originating from a chat-room format) for controls and

managements of users' simultaneous communication on the Internet.

B. Re. To claim 3: The combination of Fernandes, Bull et al., Sonnenreich et al. suggest a method as in claim 1.

Fernandes, Bull et al., and Sonnenreich et al. do not expressly disclose about a proxy server, wherein a capability for communication comprises a means for protecting identity of users.

However, the examiner submits that many uses of proxy servers in computer field have been applied; because a proxy server merely a firewall component that manages Internet traffic to and from a LAN and can provide access control. A proxy server has been used to improve performance by supplying frequently requested data, such as a popular Web page, and has been filter and discard requests that the owner does not consider appropriate, such as requests for unauthorized access to proprietary files in that way, it contributes to protecting users' identities (e.g., see Herz, US Pat. 6,029,195) or see Subramaniam et al. (US Pat. 6,081,900)).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement a proxy server in a method suggested from a combination of Fernandes, Bull et al., and Sonnenreich et al. because artisan in computer fields would appreciate the use of an available proxy server as a means to protect private information of users.

C. Re. To claims 13, and 23: They contain similar features as claim 3 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

D. Re. To claim 6: The combination of Fernandes, Bull et al., Sonnenreich et al. suggest a method as in claim 1.

Bull et al., and Sonnenreich et al. suggest about providing 1st user with capability to inform (a subject matter of interest to a user) (see Sonnenreich 5:52-59; and Bull, claims 1, 11, 28-29). The examiner also submits that the rationale for rejection of this claim already provided in claim 1, part e), which were disclosed by a combination of Fernandes, Bull et al., and Sonnenreich et al.

E. Re. To claims 16, and 26: They contain similar features as claim 6 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

F. Re. To claims 7, 8: The combination of Fernandes, Bull et al., Sonnenreich et al. suggest a method as in claim 1.

Bull et al., suggest about notifying/providing a user of characteristics/information (i.e., a common topic/interest) to another user. The examiner submits that the rationale for rejection of this claim already provided in claim 1, parts c) and d), (i.e., identifying a browsing

patterns, updating profiles automatically, and informing said users of said common browsing pattern (i.e., Bull et al., US Pat. 5,901,287 teaches "Browsing patterns of the user are analyzed and these patterns update profiles automatically"). It would be obvious for one with ordinary skill in the art to "provide" such features using available functions of a database for sorting, comparing, and selecting data in the cited references of Fernandes, Bull et al., and Sonnenreich et al.

G. Re. To claims 17-18, and 27-28: They contain similar features as claim 8 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

H. Re. To claim 9: The combination of Fernandes, Bull et al., Sonnenreich et al. suggest a method as in claim 7.

Bull et al., also suggest that "characteristics" include subject matter of interest/common searching pattern/common interest. The examiner submits that from the rationale for rejection of provided in claim 1, part c) i.e., a characteristic could be a common browsing pattern of users (see, Bull et al., for a suggestion of "Browsing patterns of the user are analyzed and these patterns update profiles automatically"). It would be obvious for one with ordinary skill in the Internet art to "provide" such information for selections merely by sorting, selecting data

in a database applying in references of Fernandes, Bull et al., and Sonnenreich et al.

I. Re. To claims 19, and 29: They contain similar features as claim 9 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

J. Re. To claim 10: Fernandes, Bull et al., and Sonnenreich et al. suggest a capability to inform conditions required for co-browsing. The examiner submits that including extra information of user's computer capabilities or conditions required for co-browsing are obvious within the knowledge of one with ordinary skill in the art; e.g., requirements of computer type Windows 3.1 or Windows 2000, minimum required available memory of 512 Kbytes .etc. (Please note that a claimed phrase of "condition required for co-browsing" could be merely a common subject that a user entered to his Internet- computer).

K. Re. To claims 20, and 30: They contain similar features as claim 10 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

5. Claims 2, 12, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandes, in view of Bull et al. (US Pat. 5,901,287), in view of Sonnenreich et al. (US Pat.

5,974,446), and further in view of Hodges et al.'s book on multimedia computing, 1993.

A. Re. To claim 2: The combination of Fernandes, Bull et al., Sonnenreich et al. suggest a method as in claim 1.

They are silent about providing an interface with a computer site, wherein that interface/window comprises different panes/windows.

However, the examiner submits that Hodges et al., pp.166-167 analogously disclose a collaborative browsing case (on the Internet) by using an example wherein voice, video, shared graphics, and data were used simultaneously in different windows/panes, i.e., see pp.166-167, Figs. 2.2 and 2.4.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement published ideas of Hodges et al., in a method suggested by Fernandes, Bull et al., and Sonnenreich et al. to perform a collaborative browsing session, because it has been a later version of a computer chatting session wherein additional features for browsing the Internet have been applied.

B. Re. To claims 12, and 22: They contain similar features as claim 2 although an apparatus or an article of manufacture (i.e., a computer floppy disk) is claimed; therefore, they are rejected on 35 USC 103(a) with similar rationales and references set forth.

6. The claimed limitations belong to a known concept in browsing/surfing (see also Hodges et al.'s book on

multimedia computing, pp.166-167; these authors clearly disclosed a collaborative browsing (on the Internet) case by using an example wherein voice, video, and shared graphics and data were used simultaneously, i.e., see pp.166-167), identifying and selection of users with a common browsing pattern are inherently applied in these cited references.

7. The examiner submits that cited prior art limitations are not necessary spelled-out exactly claimed languages, because cited prior art is also directed to a similar application as what the applicant did. The cited references are not limited to described embodiments in their disclosures. It is reasonable that analogous modifications of the cited prior art would be apparent to those skilled in the art without departing from the scope and spirit of their disclosures. Although these disclosures have been described in connection with specific preferred embodiments, it should be understood that their intentions should not be limited to such specific embodiments.

Conclusion

8. Claims 1-3, 6-13, 16-23, 26-30 are not patentable.

9. These cited prior art are also pertinent to claims' subject matters:

- Matthew E. Hodges, and Russell M. Sasnett, Eds
Multimedia Computing: Case Studies from MIT Project
Athena; Addison-Wesley: Reading, MA. 1993.
- John Nicol et al., How the Internet helps build
collaborative multimedia applications, Communications
of the ACM, v42n1, pp. 79-85, Jan. 1999 (from Dialog®
file 15, acc. No. 01751770).
- A. Anupam et al. EPO Patent 875844 A2 - priority date:
5/02/1997, Method and system for obtaining information
and services over a communication network wherein a
user and a customer service agent share a web browsing
experience using a collaborative browsing scheme and
they also able to exchange information among themselves
in text (see Anupam claims 1 and 13).
- B. Anupam et al. EPO Patent 820028 A2 - priority date:
7/16/1996, Method and system for obtaining and
exchanging information on World-Wide-Web wherein
joining a collaborative browsing session in a
synchronous manner and collaborators can interactively
communicate with one another in real time during a
session (see Anupam, the abstract).
- C. McArthur et al., US Application# 99142342 -
07/02/1999, Method and apparatus for comparing,
ranking, and selecting data items including web pages,
wherein "collaborative shopping" and "a merchant can
participate in the collaborative shopping session as an
advisor", "name of the participant that entered chat

text" actions obviously show the claimed subject matter.

- D. De Jesus Hoyos Rivera et al., A design frame work for collaborative browsing, Enabling Technologies : Infrastructure for Collaborative Enterprises, 10th IEEE International Workshops on 2001, pp.362-367.
- E. Sakamoto et al., Collaborative World Wide Web browsing system through supplement awareness, Knowledge-Based Intelligent Engineering Systems and Allied Technologies, 4th International Conference, Vol.1, 2000, pp.233-236 (A reference).
- F. McKinley et al., Pocket Pavilion: a synchronous collaborative browsing application for wireless handheld computers, Multimedia and Expo, 2000. ICME 2000, 2000 IEEE International Conference, vol.2, 2000, pp.967-970.
- G. Kim et al., Collaborative multimedia middleware architecture and advanced Internet call center, Information Networking, 2001, 15th International Conference, IEEE 2001, pp.246-250.
- US Pat. 5,974,446 by **Sonnenreich** et al., titled "Internet based distance learning system for communicating between server and clients wherein clients communicate with each other or with teacher using different communication technique via common user interface").

- Bull et al. (US Pat. 5,901,287) teach "Browsing patterns of the user are analyzed and these patterns update profiles automatically." Wherein similar topic of interest are recorded for use.
- Tak K. Woo et al, "A Synchronous Collaboration Tool for WWW," from URL
<http://www.ncsa.uiuc.edu/SDG/IT94/Proceedings/CSCW/rees/SynColTol.html>, 1994.

10. Note: These following US Pats. were cited in previous Office Actions because of a similarity of subject matter but not being relied on to reject pending claims:

- A. Anupam et al. (US Pat. 6,811,989) 3:6-39 disclose about helping a user to establish an interactive collaborative browsing session., and a would-be collaborator must identify the user by his/her user ID who created the session in order to join it. In 4:10-31, Fig.1, Anupam et al. disclose that manager 104 queries U-N as to whether the second user wants to join a private session or public session of a URL. 4B.
- B. Kirk et al. (US Pat. 6,175,842), 3:37-39, and 4:60 - 5:10 disclose about providing individuals with some indication of common interest, facilitating group communication among like-minded individuals; and enabling communication and collaboration with other browsing users. Their invention brings together a group of users who are browsing the same file or site by allowing them to communicate and associate

09/323,605
Art Unit 3625

with each other in a room corresponding to that file or site. Users share the browsing experience with each other.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong H. Nguyen whose telephone number is 703-305-4553. The examiner can normally be reached on Mon.-Fri. from 7:15 AM to 3:15 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703)308-1344.

Any response to this action should be mailed to:

Amendments

**Commissioner of Patents and Trademarks
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or faxed to: (703)305-7687 [Official communications;
including After Final communications labeled
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703-746-5572 (RightFax) Informal/Draft communications,
labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Cuong H. Nguyen
Primary Examiner
Sept. 21, 2002